



DRW 2143

PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/709,234

Filing Date

November 09, 2000

First Named Inventor

Jeffrey R. Boulter et al.

Art Unit

2143

Examiner Name

Jerry B. Dennison

Attorney Docket Number

085804.019401

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐Power of Attorney, Revocation
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):Copies of the foreign and non-patent
references listed on Forms
PTO/SB/08A and PTO/SB/08B

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

GREENBERG TRAURIG, LLP

Signature

Printed name

Carole A. Quinn

Date

January 16, 2007

Reg. No.

39,000

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Victoria A. King

Date

January 16, 2007

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www.USCourtForms.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/709,234

Group Art Unit 2143

Applicant(s): Jeffrey R. Boulter, et al.

Examiner: Jerry B. Dennison

Filing Date: November 9, 2000

Docket No.: 085804-019401

Title: **INTERNET RADIO AND BROADCAST METHOD**

Date: **January 16, 2007**

Mail Stop: IDS
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING (37 C.F.R. § 1.10)

Dear Sir/Madam:

I hereby certify that the following correspondence:

- ☒ A self-addressed stamped postcard.
- ☒ Certificate of Mailing By Regular U.S. Mail (1 page); and
- ☒ Transmittal Form - PTO/SB/21 (1 page);
- ☒ Information Disclosure Statement By Applicant (2 pages);
- ☒ Information Disclosure Statement - PTO/SB/08A & PTO/SB/08B (17 pages) and copies of the foreign patent references (22) and non-patent references (37) listed;

is being deposited on January 16, 2007 with the United States Postal Service for delivery, under 37 C.F.R. § 1.10, in a package bearing sufficient postage and addressed to **Mail Stop: IDS, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.**

Victoria A. King

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/709,234

Group Art Unit No.: 2143

Applicant(s): Jeffrey R. Boulter, et al.

Examiner: Jerry B. Dennison

Filing Date: November 09, 2000

Docket No.: 085804-019401

Title: **INTERNET RADIO AND BROADCAST METHOD**

Customer No.: 32361

CERTIFICATE UNDER 37 C.F.R. § 1.10

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Victoria A. King

INFORMATION DISCLOSURE STATEMENT

Date: January 16, 2007

Mail Stop: IDS
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir/Madam:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form(s) PTO/SB/08A and Form(s) PTO/SB/08B. Copies of the listed foreign references and non-patent literature documents are enclosed.

One of the documents listed, EP No. 1,236,340, is a European reference which corresponds to, and is published as, WO 01/35667. Enclosed is a copy of a European Patent Office communication confirming this correspondence, together with a copy of WO 01/35667.

English abstracts of the Japanese-language references have been provided. In addition, U.S. Patent No. WO 98/47080 is believed to be a counterpart to JP 2001/521642.

Since Applicants have filed a Request For Continued Examination (RCE) and have not received an Office Action after the filing of the RCE, the Information Disclosure Statement, which is being filed under § 1.97(b)(4), is believed to be timely filed. The Examiner is requested to confirm that the listed documents have been considered by initialing the appropriate portion of the Form(s) PTO/SB/08A and Form(s) PTO/SB/08B.

Applicant's undersigned attorney may be reached by phone in California (Pacific Standard Time) at (714) 708-6500. All correspondence should continue to be directed to the below-listed address.

In view of the above, no fee is believed to be required with the submission of this Information Disclosure Statement. In the event that any fee is required, however, the Commissioner is hereby authorized to charge such amount to Deposit Account No. 50-2638.

Respectfully submitted,

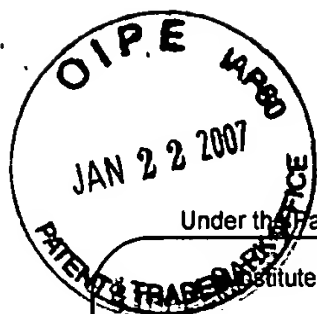


Carole A. Quinn
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286119293v1



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Institute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/709,234
Filing Date	November 9, 2000
First Named Inventor	Jeffrey R. Boulter
Art Unit	2143
Examiner Name	Jerry B. Dennison
Attorney Docket Number	085804 . 019401

Sheet

-1-

of

17

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		us- 3,568,156	03.02.1971	Kenneth L. Thompson	
		us- 4,384,329	05.17.1983	Walter S. Rosenbaum	
		us- 4,833,610	05.23.1989	Antonio D. Zamora	
		us- 5,062,143	10.29.1991	John C. Schmitt	
		us- 5,182,708	01.26.1993	Koichi Ejiri	
		us- 5,241,674	08.31.1993	Yoshiaki Kuorsawa	
		us- 5,303,150	04.12.1994	Masayuki Komeda	
		us- 5,303,302	04.12.1994	Michael Burrows	
		us- 5,371,807	12.06.1994	Michael S. Register	
		us- 5,392,212	02.21.1995	Jon C. Geist	
		us- 5,404,505	04.04.1995	Frank H. Levinson	
		us- 5,418,951	05.23.1995	Markc Damashek	
		us- 5,497,488	03.05.1996	Mirsuru Akizawa	
		us- 5,548,507	08.20.1996	Michael J. Martino	
		us- 5,583,763	12.20.1996	John Atcheson	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		AU A53031/98	02.21.1997	Dudley John Mills		
		EP 01/73639	05.03.1986	Avrom R. Handleman		
		EP 1 050 833 A2	08.11.2000	Michael A. Lazarus		
		EP 1236354	09.04.2002	Jeffrey Boulter		

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SignatureDate
Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet

-2-

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First Named Inventor	Jeffrey R. Boulter
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Attorney Docket Number	085804 . 019401

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		Number-Kind Code ² (if known)			
		us- 5,608,622	03.04.1997	Kenneth W. Church	
		us- 5,675,786	10.07.1997	Neil Howard McKed	
		us- 5,678,054	10.14.1997	Satoshi Shibata	
		us- 5,706,365	01.06.1998	Vijayakumar Rangarajan	
		us- 5,708,709	01.13.1998	John R. Rose	
		us- 5,713,016	01.27.1998	Jon R. Hill	
		us- 5,751,672	05.12.1998	Carl J. Yankowsky	
		us- 5,754,938	05.19.1998	Frederick S.M. Herz	
		us- 5,764,235	06.09.1998	William J. Hunt	
		us- 5,774,357	06.30.1998	Steven M. Hoffberg	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		EP 0955592 A2	04.30.1999	Zhenya Yourlo		
		EP 1010098 B1	04.15.1998	Dale Tyson Roberts		
		EP 1324567 A2	04.15.1998	Dale Tyson Roberts		
		GB 2,306,869	11.03.1995	Patrik Garten		
		JP 2001202368	07.27.2001	Kitaura Keiko		

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Considered

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		Number-Kind Code ² (if known)			
		us- 5,842,010	11.24.1998	Ravi Kumar Jain	
		us- 5,862,220	01.19.1999	Stephen G. Perlman	
		us- 5,862,339	01.19.1999	Patrick P. Bonnaure	
		us- 5,872,921	02.16.1999	Manuel Zahariev	
		us- 5,881,234	03.09.1999	Pierre R. Schwab	
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		us- 5,884,312	03.16.1999	Robert Frederick Dustan	
		us- 5,898,833	04.27.1999	Jeff Kidder	
		us- 5,913,041	06.15.1999	Srinivas Ramanathan	
		us- 5,926,207	07.20.1999	Mark F. Vaughan	
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		us- 5,931,907	08.03.1999	Nicholas John Davies	

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		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		JP 2001521642	11.06.2001	Dale Tyson Roberts		
		WO 97/07467	02.27.1997	Sean Phelan		
		WO 98/25269	06.11.1998	Keith Reynolds Wehmeyer		
		WO 98/47080	10.22.1998	Dale Tyson Roberts		

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		Number-Kind Code ² (if known)			
		us- 5,950,189	09.07.1999	Edith Cohen	
		us- 5,956,482	09.21.1999	Sanjay Agraharam	
		us- 5,960,430	09.28.1999	Ira Joseph Haimowitz	
		us- 5,969,283	10.19.1999	Brian M. Looney	
		us- 5,983,176	11.09.1999	Eric M. Hoffert	
		us- 6,000,008	12.07.1999	Robert J. Simcoe	
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		us- 6,012,098	01.04.2000	Elias N. Bayeh	
		us- 6,020,883	02.01.2000	Frederick Herz	
		us- 6,021,203	02.01.2000	John R. Douceur	
		us- 6,026,398	04.15.2000	David Brown	
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		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		WO 00/31964	06.02.2000	Magnus Jandel		
		WO 00/46681 A1	02.08.2000	Christopher M. Coulthard		
		WO 01/33379 A1	10.27.2000	Kumar Jayanta Dey		

Examiner
SignatureDate
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		Number-Kind Code ² (if known)			
		us- 6,035,268	03.07.2000	Alwin B. Carus	
		us- 6,038,527	03.14.2000	Ingrid Renz	
		us- 6,047,251	04.04.2000	Leonard K. Pon	
		us- 6,047,268	04.04.2000	Paul D. Bartoli	
		us- 6,047,320	04.04.2000	Satoru Tezuka	
		us- 6,047,327	04.04.2000	Michael Man-Hak Tso	
		us- 6,061,680	05.09.2000	Steven Douglas Scherf	
		us- 6,064,980	05.16.2000	Jennifer A. Jacobi	
		us- 6,065,051	05.16.2000	Douglas W. Steele	
		us- 6,065,058	05.16.2000	Brent Tzion Hailpern	
		us- 6,070,185	05.30.2000	Vinod Anupam	
		us- 6,085,242	07.04.2000	Rohit Chandra	
		us- 6,097,719	08.01.2000	Ray Benash	
		us- 6,102,406	08.15.2000	Steven A. Miles	
		us- 6,105,022	08.15.2000	Toru Takahashi	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ "Number" ⁴ "Kind Code" ⁵ (if known)				
		WO 01/35667 A1	11.09.2000	Jeffrey Boulter		
		WO 01/54323 A2	01.17.2001	Paul M. Hunt		
		WO 01/73639 A1	10.04.2001	Rick McEwan		
		WO 02/42862 A2	05.30.2002	Clark Phillip Evans		
		WO 02/65341 A2 & A3	08.22.2002	Eric James Reed		

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Application Number	09/709,234
Filing Date	November 9, 2000
First Named Inventor	Jeffrey R. Boulter
Art Unit	2143
Examiner Name	Jerry B. Dennison
Attorney Docket Number	085804 . 019401

Sheet

-6-

of

17

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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Sheet

-7-

of

17

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Sheet

-8-

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17

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Sheet

-9-

of

17

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Sheet -10-

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17

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Attorney Docket Number	085804 . 019401

Sheet -11-

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17

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		Art Unit	2143		
		Examiner Name	Jerry B. Dennison		
Sheet	-12-	of	17	Attorney Docket Number	085804 . 019401

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		Charu C. Aggarwal, Cecilia Procopiuc, Joel L. Wolf, Philip S. Yu, and Jong Soo Park, "Fast Algorithm for Projected Clustering," Proceedings of the ACM SIGMOD International Conference on Management of Data, 1999	
		Connor Hayes, et al., Smart Radio - A Proposal, Technical Report TCD-CS-1999-24, Online! April 1999, pages 1-14, XP002279579, Trinity College Dublin, Ireland, Retrieved from the Internet: <URL:http://www.cs.tcd.ie/publications/tech-reports/reports.99/TCD-CS-1999-24.pdf>, retrieved on May 7, 2004	
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		Filing Date	November 9, 2000		
		First Named Inventor	Jeffrey R. Boulter		
		Art Unit	2143		
		Examiner Name	Jerry B. Dennison		
Sheet	-13-	of	17	Attorney Docket Number	085804 . 019401

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		Cyril W. Cleverdon and J. Mills, "The Testing Of Index Language Devices," presented February 5, 1963, Chapter 3 - Key Concepts, pgs. 98 - 110, Found in: Readings in Information Retrieval, Edited by Karen Sparck Jones and Peter Willett, Morgan Kaufmann Publishers, Inc., San Francisco, CA, 1997	
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		Gerard Salton and M.J. McGill, "The SMART and SIRE Experimental Retrieval Systems," pgs. 381 - 399	

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		Internet Papers: Freetantrum: Songprint 1.2, and computer code; www.freetantrum.org	
		Jean Tague-Sutcliffe, "The Pragmatics of Information Retrieval Experimentation Revisited," School of Library and Information Science, University of Western Ontario, Canada, pgs. 205 - 216	
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		Karen Sparck Jones, G.J.F. Jones, J.T. Foote, and S.J. Young, "Experiments in Spoken Document Retrieval," pp. 493-502	

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		RealNetworks Literature downloaded from web.archive.org - 16 pages total	
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		Unjung Nam, Lectures: "Mel-Frequency Cepstral Analysis," [online] [retrieved on 2001-02-02] Retrieved from the Internet <URL:http://www.ccrma.stanford.edu/~unjung/mylec/mfcc.html>, pp. 1-3	
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